

ASSIGNED

Serial No. 25601

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAY 8 1970

Returned to applicant for correction

Corrected application filed Map filed MAY 8 1970

The applicant William R. Tomerlin

of Sierra Rancho, Gardnerville, County of

State of Nevada

, hereby makes application for permission to change the

point of diversion of a portion of the water of Wheeler Creek #1

of water heretofore appropriated under Permit No. 24806

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Wheeler Creek No. 1

(Name of stream, lake or other source.)

2. The amount of water to be changed 2.5 c.f.s.

(Second feet, acre feet.)

3. The water to be used for Irrigation and domestic

(If for stock state number and kind of animals.)

4. The water heretofore used for Irrigation and domestic

(If for stock state number and kind of animals.)

5. The water is to be diverted at the following point within the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9.

T. 12 N., R. 19 E., M.D.B.&M., from which the southeast corner of said Section 9

(Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)

bears S. 75° 56' E., 2280 feet.

6. The existing point of diversion is located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 12 N., R. 19 E.,

M.D.B.&M. at a point from which the West $\frac{1}{4}$ cor. of Sec. 10 bears N 0° 45' W., 1000

(If point of diversion is not changed, do not answer.)

ft.

7. Proposed place of use NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of

(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)

Sec. 10, T. 12 N., R. 19 E., M.D.B.&M.

8. Existing place of use NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, T. 12 N., R. 19 E.,

(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)

M.D.B.&M.

9. Use will be from Jan. 1 to Dec. 31 of each year.

(Month)

(Month)

10. Use has been from Jan. 1 to Dec. 31 of each year.

(Month)

(Month)

11. Description of proposed works.

Ditches and natural channels

(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)

(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

12. Estimated cost of works \$500

13. Estimated time required to construct works 1 wk.

14. Remarks The water to be diverted will be channeled into Wheeler Creek No. 2, which is in a more central position in the cultivated fields, and thus gravity irrigation of the fields will be facilitated.

Compared jls/kjm md/jw

Applicant William R. Tomerlin

By s/Robert C. Downer

P.O. Bx. 456

Minden, Nev. 89423

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the point of diversion of a portion of the waters of Wheeler Creek No. 1 as heretofore granted under Permit 25601, is issued subject to the terms and conditions imposed in said Permit 25601, and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.5 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before March 14, 1971

Proof of commencement of work shall be filed before April 14, 1971

Work must be prosecuted with reasonable diligence and be completed on or before March 14, 1972

Proof of completion of work shall be filed before April 14, 1972

Application of water to beneficial use shall be made on or before March 14, 1974

Proof of the application of water to beneficial use shall be filed on or before April 14, 1974

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed JAN 5 1971

Completion of work filed JAN 5 1971

Proof of beneficial use filed JAN 5 1971

Cultural map filed JAN 5 1971

Certificate No. 7586 Issued 4-6-71

Recorded 4-13-71 Bk 85 Page 507

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 14th day of September

A.D. 1970

State Engineer